

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE MAYOR AND CITY COUNCIL  
APPROVING AMENDMENTS TO THE PERSONNEL  
RULES & REGULATIONS OF THE CITY OF GAITHERSBURG

WHEREAS, Chapter 2 of the Gaithersburg City Code, entitled "Administration," provides for the establishment of regulations; and

WHEREAS, Chapter 17 of the Gaithersburg City Code, entitled "Personnel," provides that the City Manager shall have the authority to issue regulations to administer the provisions of the Chapter; and

WHEREAS, Section 59 of the Gaithersburg City Charter provides that the Mayor and City Council have the power to adopt personnel regulations governing the employees of the City and Chapter 2, Section 2-10, provides that regulations require approval of the Gaithersburg City Council;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Gaithersburg that amendments to the following sections of the Personnel Rules & Regulations of the City of Gaithersburg be and they hereby are approved as follows:

Preface

Amend to clarify that if provisions of Federal, State, and/or local laws, acts statutes, or ordinances are not reflected in the Personnel Rules and Regulations Manual, the Federal, State, or local laws shall govern.

Section 407. New Classification/Reclassification

Amend to remove references to specific evaluation tools and to clarify that reclassifications are accepted only once per year in conjunction with the budget process as determined by the City Manager from time to time.

Section 603. Minimum Wage

Amend to remove reference to specific amount of minimum wage.

Section 607. General Wage/Pay for Performance Adjustments

Amend to clarify that General Wage Adjustments (Cost of Living Adjustment) is given to all eligible employees, including employees on probation. Upon successful completion of their probation period, probationary employees may be given pay for performance adjustments for the remainder of the fiscal year. Pay for performance adjustments will not be retroactive.

Section 703. Sick Leave, d. Proof of Need

Amend to clarify that a department head may request medical certification (a doctor's slip) for any use of sick leave. Medical certification is mandatory when an employee's sick leave exceeds three consecutive work days within the employee's regular work schedule.

Section 713.2 Family & Medical Leave Act (FMLA), Procedures, f. After Expiration of Family or Medical Leave Entitlement

Amend to clarify that at the request of the employee and subject to medical certification that the employee will be able to return to work within 30 days of the expiration of family or medical leave extended, the Department Head may recommend that it is in the best interest of the City to hold the employee's position open for no more than an additional 30 days with approval of the City Manager.

Section 802. Promotions

Amend to specify that all City job opportunities other than unclassified management positions and those filled through progression promotion must be advertised.

Section 803. Reclassification

Amend to clarify that reclassifications will only be accepted once per year in conjunction with the budget process.

Section 901.2 Medical, Dental & Vision Insurance & Section 901.2 e. Contribution in Lieu of Medical/Dental Insurance

Amend to remove references to specific percentages paid for medical, dental, and vision insurance premiums and the specific percentages contributed in lieu of coverage to a Retirement Health Savings (RHS) Plan.

Section 1408. City Manager Review/Final Action

Amend to replace "working days" with "business days" where applicable throughout this section and clarify that the City Manager has 10 business days to review information provided by the Department Head prior to taking final action.

Section 1704. Discrimination & Harassment Complaints; Section 1705. Grievable Issues; Section 1706. Grievance Procedures

Amend to replace "calendar days" with "business days" where applicable throughout this section.

Appendix A. Definitions

Add definition of "business day" as "a period of time during which the City's main administrative office (City Hall) is open and operating under its regular operating hours.

Add definition of "progression promotion" as "the automatic movement of an employee to the next higher level (title/grade) in an identified classification series based on the employee's satisfactory fulfillment of a specified length of time in a position and/or attainment of required education, certification, or skills."

AND BE IT FURTHER RESOLVED that amendments shall become effective upon adoption of this resolution and in the event of a conflict between a section, subsection, or provision of the Manual with any Federal, State, and/or local laws, acts, statutes, or ordinances, or if provisions of Federal, State, and/or local laws, acts, statutes, or ordinances are not reflected in the Manual, the Federal, State, or local laws shall govern.

ADOPTED by the City Council this 21<sup>st</sup> day of October, 2013.

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SIDNEY A. KATZ, Mayor and  
President of the Council

THIS IS TO CERTIFY that the foregoing  
Resolution was adopted by the City Council,  
in public meeting assembled, on the 21<sup>st</sup> day  
of October, 2013.

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Tony Tomasello, City Manager



Gaithersburg

A CHARACTER COUNTS! CITY

## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: Preface

EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a double strikethrough. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

~~~~~

### Preface

\* \* \* \* \*

The employment laws, rules, and regulations of other agencies may from time to time come in conflict with provisions of the Manual and the following order or precedence shall be used to reconcile such conflicts as they arise:

In the event of a conflict between a section, subsection, or provision of the Manual with any Federal, State, and/or local laws, acts, statutes, or ordinances, or if provisions of Federal, State, and/or local laws, acts, statutes, or ordinances are not reflected in the Manual, the Federal, State, or local laws shall govern.

\* \* \* \* \*

Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney Date



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## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: 407. New Classification/Reclassification  
EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a ~~double-strikethrough~~. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### Section 400. Classification Plan

\* \* \* \* \*

### Section 407. New Classification/Reclassification

\* \* \* \* \*

#### **a. Requests**

A request for a new classification or reclassification of a position will be accepted once per year in conjunction with the budget process. Requests may be initiated by an incumbent employee, a position supervisor, a Department Head, or the Human Resources Department and must be submitted in the manner and within the time period established in the annual budget preparation schedule approved by the City Manager. ~~during the annual budget process. Requests must be made through completion of a Job Assessment Tool (JAT) by the incumbent employee (or by the position supervisor if the position is vacant). After review of the JAT, the Supervisor must complete and sign the Supervisor's portion of the JAT and complete the Management Issues Tool (MIT).~~

\* \* \* \* \*

Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney Date



Gaithersburg

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## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: 603. Minimum Wage;  
607. General Wage/Pay for Performance/Step  
Adjustments

EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a ~~double-strikethrough~~. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### Section 600. Compensation

\* \* \* \* \*

#### Section 603. Minimum Wage

The City follows minimum wage requirements as established by the Fair Labor Standards Act (FLSA). ~~The FLSA required minimum wage will be \$7.25 effective July 24, 2009.~~

\* \* \* \* \*

#### Section 607. General Wage/Pay for Performance/Step Adjustments

Based upon recommendations from the City Manager as part of the annual budget process, the City Council may allocate funds for general wage (i.e., cost of living) adjustments, ~~and pay for performance adjustments, and step pay adjustments. The Department of Human Resources will calculate annual general wage adjustments and pay for performance adjustments based on the employee's performance evaluation and recommendations from the Department Head.~~ Subject to budgetary guidelines, employees may receive wage/pay adjustments as follows:

##### a. Classified Employee and Unclassified Management Employee

~~A classified employee or unclassified management employee who receives a performance rating of Successful for the prior review period may be eligible to receive an annual general wage adjustment and a performance-based /step pay adjustment. In order to receive a performance-based /step pay adjustment, an employee must have a performance evaluation on record for the previous fiscal year. Subject to budgetary guidelines, employees may receive adjustments as follows:~~

1. General Wage Adjustment: Annually at the beginning of the fiscal year.

2. Performance Based Adjustment (positions included in the general salary schedule): Annually at the beginning of the fiscal year based on the Department Head's recommendation. In order to receive a performance based adjustment, an employee must have a performance evaluation on record for the previous fiscal year. An employee with a rating of Unsuccessful for the prior review period may not be eligible to receive this pay adjustment.

3. Step Pay Adjustment (Police Department positions included in the step salary schedule): ~~(a) Sworn Police Officer: Step adjustment~~ Annually on the employee's law enforcement service anniversary date (moves to the next step within his/her pay grade).

~~(b) All Other Employees: Annually at the beginning of the fiscal year.~~

~~A classified employee or unclassified management employee with a rating of Unsuccessful for the prior review period may not be eligible to receive the general wage adjustment and/or the performance based pay adjustment.~~

**b. Probationary Employee**

1. General Wage Adjustment: At the beginning of the fiscal year.

2. Performance Based Adjustment (positions included in the general salary schedule): Upon successful completion of the probationary period as documented on the employee's end of probation performance evaluation and based on the Department Head's recommendation.

3. Step Pay Adjustment (Police Department positions included in the step salary schedule): Upon successful completion of 12 months of the 24-month probationary period on the employee's law enforcement service anniversary date (moves to the next step within his/her pay grade).

~~A probationary employee who receives a performance rating of Successful for the prior review period may be eligible to receive a prorated general wage adjustment and a performance based/step pay adjustment upon completion of a 12-month probationary period. Upon successful completion of a 12-month probationary period, the employee will also be afforded all of the rights and privileges of the merit system; however, a sworn police officer remains in a probationary status for an additional 12 months (see Section 308, New Hires).~~

~~A probationary employee with a performance rating of Unsuccessful for the prior review period may not be eligible to receive the general wage adjustment and/or the performance based/step pay adjustment upon completion of a 12-month probationary period. Additionally, the employee's probationary period may be extended or the employee may be terminated at the sole discretion of the City.~~

~~Upon successful completion of the probationary period, the new annual salary of an employee on the range salary schedule is prorated based on the number of pay periods remaining in the current fiscal year. The prorated salary is calculated as follows:~~



~~1. Calculate New Biweekly Salary:~~

~~Current annual salary ÷ 26 (number of pay periods in fiscal year) = current biweekly salary; current biweekly salary x percentage of general wage/performance based pay adjustment (as approved in fiscal year budget) = new biweekly salary.~~

~~2. Calculate New Annual Salary:~~

~~New biweekly salary = current biweekly salary + increase per pay period; increase per pay period x number of remaining pay periods in the fiscal year = total salary increase for remaining pay periods; total salary increase for remaining pay periods + current annual salary = new prorated annualized salary.~~

~~Upon successful completion of 12 months of the probationary period, an employee on the step salary schedule moves to the next step within his/her pay grade.~~

The successful end of probation performance based or step pay adjustment increase is a one-time adjustment and is not retroactive. The employee's new salary is effective at the beginning of the pay period in which the probationary period ends. Thereafter, classified employees and unclassified management employees receive general wage adjustments, and/or performance based adjustments, and/or step pay adjustments in the manner set forth in Section 607 (a) above.

See Section 308, New Hires, for additional information regarding the probationary period.

c. **Part-Time Employee**

Part-time employees may be eligible for a general wage adjustment after successfully completing one year of service, and thereafter, as part of the annual budget process based on Department Head and City Manager recommendations. Any other pay rate increase or adjustment for a part-time employee must be approved by the City Manager or his/her designee.

d. **Special Wage Adjustment**

At the recommendation of the Department Head, the City Manager may authorize a wage adjustment to encourage retention of highly qualified City employees and to address pay inequities if he/she believes it to be in the best interest of the City to do so. A wage adjustment cannot result in the employee's salary being below the minimum or above the maximum of the employee's salary range.

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Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney Date



## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: 703. Sick Leave  
713.2 Procedures  
EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a ~~double-strikethrough~~. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### Section 700. Leave, Attendance and Holidays

\* \* \* \* \*

#### Section 703. Sick Leave

City employees are expected to report to work each day, on time and as scheduled. However, employees or their family members sometimes become ill or injured, resulting in the acceptable use of sick leave.

\* \* \* \* \*

#### d. Proof of Need

A Department Head or designee may request medical certification (a doctor's slip) for any use of sick leave.

Medical certification is mandatory and requires proof as need as follows:

- (1) When an employee's sick leave exceeds three consecutive work days within the employee's regular work schedule;

or

- (2) When sick leave is used for reasons set forth in Section 703(c)(4) and the family member does not reside in the employee's residence. Documentation confirming the illness or injury of the family member must be provided.



**~~1. Personal~~**

~~Any employee who desires to use more than three consecutive days of sick leave within the employee's regular work schedule equivalent to the number of days in the employee's workweek (e.g., four days, five days, etc.) for reasons set forth in Section 703(c) (1), (2), or (3) shall submit to his/her supervisor/Department Head written medical documentation confirming the illness or injury and the employee's inability to report to work in order to be granted such leave.~~

~~For shorter periods of absence, caused by personal illness or injury, the employee's supervisor/Department Head may accept the employee's oral statement as to the reason for the absence. However, the supervisor/Department Head may require medical certification if it is deemed appropriate.~~

**~~2. Care of a Family Member~~**

~~Any employee who desires to use sick leave for reasons set forth in Section 703(c)(4) shall submit to his/her supervisor/Department Head written medical documentation confirming the illness or injury of the family member, except that written medical documentation is not required if the employee uses sick leave to provide care for the employee's spouse/domestic partner or child who reside in the employee's home unless the employee uses sick leave in excess of three consecutive work days within the employee's regular schedule. consecutive days of sick leave equivalent to the number of days in the employee's workweek (e.g., four days, five days, etc.).~~

**~~3. Submission of Medical Documentation to Human Resources~~**

- (3) Written medical documentation required under this Section must be submitted to the Human Resources Department at the same time the employee's time and attendance record for the applicable pay period is submitted for payroll processing. If no written medical documentation is submitted as required, the leave amount will be deducted from the employee's accrued annual, compensatory, or personal leave, or must be taken as leave without pay.

\* \* \* \* \*

**Section 713. Family & Medical Leave Act (FMLA)**

\* \* \* \* \*

**Section 713.2 Procedures**

\* \* \* \* \*

**f. After Expiration of Family or Medical Leave Entitlement**

If the employee advises the Department Head or designee that he/she does not intend to return to work, the employee shall be asked to confirm that intent in writing. Employees who do not plan to return to work at the expiration of family or medical leave should notify their supervisor no later than the expiration of leave. The employee will then be separated from

employment, and the employee's entitlement to reinstatement, continued leave, and all other benefits will cease. The employee shall be directed to contact the Director of Human Resources regarding COBRA health insurance coverage.

Failure to return to work without giving adequate notice at the expiration of the leave may result in dismissal. If the employee is unable to return to duty to perform the essential functions of his/her position because of a physical or mental condition, including the continuation of a serious health condition, the City's obligations under the Americans with Disabilities Act (ADA) will govern.

At the request of the employee and subject to medical certification that the employee will be able to return to work within 30 days of the expiration of family or medical leave, the Department Head may recommend that it is in the best interest of the City to hold the employee's position open for no more than an additional 30 days. The City Manager may approve holding the position open for the employee for a period not to exceed 30 days.

\* \* \* \* \*

Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney Date



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## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: 802. Promotions  
803. Reclassification

EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a ~~double strikethrough~~. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### Section 800. Employment Changes

\* \* \* \* \*

### Section 802. Promotions

All City job opportunities other than unclassified management positions and those filled through progression promotion must be advertised.

\* \* \* \* \*

### Section 803. Reclassification

Positions may evolve over time resulting in job responsibilities being performed that are significantly different from those associated with the current job description. Employees, supervisors, Department Heads, or the Director of Human Resources may seek the reclassifications of positions, ~~typically during only during~~ the budget process. The procedures for submitting a reclassification request are detailed in Section 400, Classification Plan. Adjustments to an employee's compensation during a reclassification are covered in Section 600, Compensation.

\* \* \* \* \*

Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney Date



## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: 901.2 Medical, Dental & Vision Insurance

EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a double strikethrough. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### Section 900. Fringe Benefits

\* \* \* \* \*

### Section 901.2 Medical, Dental & Vision Insurance

\* \* \* \* \*

Monthly premiums for the City's group medical, dental, and vision insurance plans are a shared responsibility; the City pays ~~eighty-five (85) percent~~ a portion of the lowest monthly premium in each tier offered (e.g., single, two-person, family, etc.) and the employee pays the ~~remaining fifteen (15) percent~~ remainder. An employee that selects coverage under another more expensive plan, if one is offered, must pay the additional premium cost.

\* \* \* \* \*

#### e. Contribution in Lieu of Medical/Dental Insurance

Employees who are covered by another medical and/or dental plan (outside of the City's coverage) must provide proof of that coverage each year during open enrollment. Those employees may elect not to participate in the medical and/or dental plans offered by the City and may request that the City contribute a portion of its share of the cost of individual coverage under the City's medical and/or dental plan to a Retirement Health Savings (RHS) Plan, a non-taxable savings plan. ~~The City contributes 50 percent of its cost of individual medical coverage and 100 percent of its cost of individual dental coverage to the RHS Plan.~~ Employees may use

monies contributed to the RHS Plan for eligible health, dental, and long-term care expenses not reimbursed through the employee's insurance.

Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney Date



*Gaithersburg*  
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## **PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)**

SECTION(S) AMENDED: **1408. City Manager Review/Final Action**

EFFECTIVE DATE: **10/21/2013**

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a ~~double-strikethrough~~. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### **Section 1400. Disciplinary Actions**

\* \* \* \* \*

### **Section 1408. City Manager Review/Final Action**

Before taking final action on a recommendation for suspension of more than three working days, demotion, or dismissal of an employee, the City Manager shall provide the employee an opportunity to present his/her response to the recommended disciplinary action, provided that an employee may be suspended prior to such opportunity when, in the City Manager's judgment, immediate suspension is required.

Within five ~~working business~~ days of receipt of the Department Head's recommendation for suspension of more than three working days, demotion, or dismissal, the employee may request in writing a meeting with the City Manager to discuss the disciplinary action recommended and present any information appropriate to respond to the reason(s) for disciplinary action set forth in the written recommendation. If a meeting with the City Manager is requested by the employee, it shall be scheduled within five ~~working business~~ days of the City Manager's receipt of the request. If no meeting is requested by the employee within the stated time limits, the City Manager shall proceed with review of the recommendation.

~~After~~ Within 10 business days of reviewing the information provided by the Department Head and the employee, if applicable, the City Manager shall take final action by approving the proposed disciplinary action, overruling the proposed disciplinary action, or modifying the

proposed disciplinary action. The employee shall be notified of the City Manager's final action in the manner indicated in Section 1407 (c.2), (d), and (d) of this Manual.

\* \* \* \* \*

Approved for form and legality:

|                                                                                   |                                                                                   |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
|  |  |
| N. Lynn Board, City Attorney                                                      | Date                                                                              |





Gaithersburg

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## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: 1704. Discrimination & Harassment Complaints  
1705. Grievable Issues  
1706. Grievance Procedures

EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a ~~double-strikethrough~~. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### **1700. Grievance Procedures**

\* \* \* \* \*

#### **Section 1704. Discrimination & Harassment Complaints**

Any City employee who believes that he/she has been a victim of discrimination, harassment, or sexual harassment as defined in this Manual may follow the procedures set forth in this policy or may make a complaint directly to the Human Resources Director or the City Manager. All discrimination, harassment, and/or sexual harassment complaints made to a supervisor or Department Head must be reported in writing to the Human Resources Director or the City Manager (if the Human Resources Director is involved in the complaint). Complaints must be made within 15 ~~calendar~~ business days of the alleged discrimination or harassment.

\* \* \* \* \*

#### **Section 1705. Grievable Issues**

In general, grievable issues are those actions or inactions which the employee believes have affected his/her status or conditions of employment or complaints concerning specific issues related to his/her employment with the City. Such issues include, but are not limited to, differences of opinion regarding work relationships or work environment, significant disagreement with performance evaluation, and/or disciplinary actions.

The City of Gaithersburg reserves the right to manage the affairs and operation of the City government, and accordingly, complaints involving management rights and prerogatives, (e.g., classification plan, salary schedules, contents of ordinances and resolutions, etc.) are not grievable. If there is a question as to whether an employee has access to the Grievance Procedure or whether an employee's complaint is grievable, the Department Head must contact the Human Resources Director to request a ruling. The Human Resources Director will consult

with the City Attorney and/or City Manager and rule on the question of grievability within 10 ~~calendar business~~ days of the request; the Grievance Procedure time limits will be extended accordingly. A copy of the ruling will be sent to the employee desiring to file the grievance.

### **Section 1706. Grievance Procedures**

When an employee has a complaint, the following successive steps are to be taken unless otherwise provided. The number of ~~calendar business~~ days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. Any grievance not initiated or taken by the grievant to the next step within the stated time limits will be considered resolved. Any grievance response not timely provided to the grievant shall permit the grievant to immediately proceed to the next step in the grievance process. The parties may by mutual agreement waive any or all intermediate steps or meetings, with the exception of the initial complaint and reducing the grievance to writing. The parties may, by mutual agreement, extend any of the time periods established in these procedures. At each phase of the process, supervisory personnel shall inform the employee of the next step in the process and the time limits, should the decision not be satisfactory to the employee.

#### **a. Informal Resolution**

Prior to the submission of a formal grievance, the employee and his/her supervisor should meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the respective Department Head and/or Human Resources Director as a resource to help resolve the grievance.

#### **b. Formal Resolution**

##### **1. Step 1**

If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to the appropriate supervisor in writing. The grievance must be presented within 15 ~~calendar business~~ days of the event or within 15 ~~calendar business~~ days of learning of the event or condition. The supervisor shall respond to the grievance within 10 ~~calendar business~~ days after receipt of the grievance. The supervisor should, and is encouraged to consult with any employee of the City in order to reach an impartial, fair, and equitable determination or decision concerning the grievance. Any employee consulted by the supervisor in the process of investigating the complaint is required to cooperate to the fullest extent possible.

The response from the supervisor for each step in the formal grievance process shall be in writing and signed by the supervisor. In addition, the employee shall sign a copy to acknowledge receipt thereof. The supervisor shall send copies of the grievance and response to the Department Head and the Human Resources Director.

##### **2. Step 2**

If the grievance is not resolved by the supervisor to the satisfaction of the employee, and the supervisor is not the Department Head, the employee may present the grievance in writing to his/her Department Head within 10 ~~calendar business~~ days after receipt of the response from Step 1. The Department Head shall respond to the complaint, stating the determination or decision within 10 ~~calendar business~~ days after receipt of the grievance. The Department Head's response shall be in writing and signed by the Department Head. In

addition, the employee shall sign a copy to acknowledge receipt thereof. The Department Head shall send a copy of the grievance and response to the Human Resources Director.

**3. Step 3**

If the grievance is not resolved to the satisfaction of the employee at the end of Step 2, and the Department Head is not the City Manager, the employee may present the grievance in writing to the City Manager. The employee should attach all responses received from the supervisor and/or Department Head to the grievance. Within 10 ~~calendar~~ business days after receipt of the grievance, the City Manager will call a meeting which will include the employee, the employee's supervisor, the Department Head, the Human Resources Director, and any other persons involved in the grievance. The City Manager will make a written report of his/her decision within five ~~calendar~~ business days following the meeting and will deliver the decision to the employee, supervisor, Department Head, and Human Resources Director.

\* \* \* \* \*

Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney                      Date



## PERSONNEL RULES & REGULATIONS MANUAL AMENDMENT(S)

SECTION(S) AMENDED: Appendix A Definitions

EFFECTIVE DATE: 10/21/2013

The Personnel Rules & Regulations Manual has been amended by the City Manager as shown below. Wording added is underlined; wording deleted is shown with a ~~double-strikethrough~~. Asterisks (\* \* \* \*) indicate that unaffected portions of the amended Section are not shown.

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### Appendix A Definitions

\* \* \* \* \*

**Business Day:** Period of time during which the City's main administrative office (City Hall) is open and operating under its regular operating hours.

\* \* \* \* \*

**Progression Promotion:** The automatic movement of an employee to the next higher level (title/grade) in an identified classification series based on the employee's satisfactory fulfillment of a specified length of time in a position and/or attainment of required education, certification, or skills.

\* \* \* \* \*

Approved for form and legality:

N. Lynn Board 10/7/13  
N. Lynn Board, City Attorney Date